

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

TRAVIS C. KAUFFMANN,)	
)	
Plaintiff,)	
)	Civil Action
v.)	File No. 1:23-cv-03836-TWT
)	
KRISTINE KAUFFMANN HOPE,)	
)	
)	
Defendant.)	

JOINT MOTION TO AMEND SCHEDULING ORDER

COME NOW, Travis C. Kauffmann (“Plaintiff”) and Kristine Kauffmann Hope (“Defendant”), and jointly move for the entry of an amended Scheduling Order to govern deadlines in this case, showing as follows:

1.

The Plaintiff filed his Complaint on August 28, 2023, and the Defendant acknowledged service of the Complaint on September 11, 2023. She filed her Answer on October 2, 2023.

2.

Pursuant to Fed. R. Civ. P. 26(f), the parties met and conferred on October 18, 2023 about the status of the case, settlement possibilities, and a plan for discovery. They submitted a Joint Report of the Rule 26(f) conference and a

proposed Scheduling Order on November 9, 2023. To the parties' knowledge, the proposed Scheduling Order has not been entered by the Court. Nevertheless, the parties have sought to adhere to the discovery plan agreed upon in their Rule 26(f) conference.

3.

The parties agreed at the Rule 26(f) conference that a 5-month discovery period (commencing at the time the Joint Report was filed) was necessary, with expert deadlines and motions deadlines following thereafter. Therefore, the parties contemplated at that time that discovery would close on April 9, 2024 (five months after the November 9, 2023 filing of the Joint Report).

4.

The parties have diligently conducted discovery since the Rule 26(f) conference and the filing of the Joint Report. They have each served and responded to numerous initial discovery requests. The Defendant has produced voluminous documents in response to the Plaintiff's discovery requests, and the Plaintiff is presently preparing to make his own document production. This case involves complex factual issues and numerous documents—including many financial statements—which in some cases date back as far as 2008. While the parties are working diligently to conduct and complete discovery and document production, the voluminous documents sought by both sides over an extended time period has

caused the parties' estimate of the time required for discovery to increase. Furthermore, the parties have conferred in an effort to resolve various disputes raised by the Plaintiff with respect to the Defendant's discovery responses.

5.

Meanwhile, various scheduling conflicts have arisen due to professional obligations of the Defendant's counsel. Along with Robert Carlson, Harry MacDougald is lead counsel for the Defendant. Mr. MacDougald is also counsel for Jeffrey Clark, former Assistant Attorney General, in both the criminal proceedings pending against him in Fulton County and in bar disciplinary proceedings pending against him in Washington, D.C.

6.

While Mr. MacDougald represented Mr. Clark at the time the parties filed the Joint Report, various circumstances that were not anticipated at that time arose in connection with this representation, creating unforeseen scheduling conflicts and delays in the progress of this case. By way of example, the proceedings involving the potential disqualification of District Attorney Fani Willis—which were unknown and unexpected in November 2023—required extensive involvement from Mr. MacDougald in connection with his representation of Mr. Clark. Likewise, Mr. Clark's bar disciplinary hearing was not yet scheduled at the time the Joint Report was filed and was not expected to interfere with discovery in this

case; however, this hearing was later set for the end of March 2024 and proceeded at that time for a total of nearly two weeks, necessarily occupying nearly all of Mr. MacDougald's professional time over an extended period. These obligations on the Defendant's lead counsel have hindered the progress of this case.

7.

At this stage, the parties anticipate that the bulk of the remaining fact discovery to be conducted consists of several depositions, which they are ready to begin scheduling in the near future now that Mr. MacDougald's obligations with respect to his representation of Mr. Clark have lessened following the conclusion of the bar disciplinary hearing and the disqualification proceedings.

8.

For all of these reasons, the parties require a reasonable additional period to conduct and complete discovery, depositions, and document production in order to successfully prepare their cases for trial and/or any motions that may be filed. Moreover, they agreed in their Rule 26(f) conference that there was a possibility of settlement after discovery and would like a reasonable discovery extension to prepare them to meaningfully engage in settlement discussions and/or mediation.

9.

Under these circumstances and in light of the unforeseen delays described, the parties request that the Court exercise its discretion to lengthen the time for discovery and to extend motions deadlines accordingly, pursuant to LR 26.2(B).

10.

The parties jointly request that the Court extend all deadlines under the previously proposed Scheduling Order for approximately 10 weeks (75 days) so that the following dates govern the progress of the case:

- a) Fact discovery shall be completed by June 25, 2024;
- b) Expert reports, if any, shall be due by July 10, 2024;
- c) Expert discovery (other than expert depositions) shall be completed by July 25, 2024;
- d) Expert depositions shall be completed by August 9, 2024;
- e) Dispositive motions shall be filed by September 20, 2024.

11.

A proposed Consent Amended Scheduling Order is submitted as Exhibit “A” for the Court’s consideration.

Signatures on the following page

Jointly submitted, this 9th day of April, 2024.

<p>CALDWELL, CARLSON, ELLIOTT & DELOACH, LLP</p> <p><u>/s/ Robert S. Carlson</u> Robert S. Carlson Georgia Bar No. 110280 rcarlson@ccedlaw.com <u>Harry W. MacDougald</u> Georgia Bar No. 463076 hmacdougald@ccedlaw.com 6 Concourse Parkway, Suite 2400 Atlanta, Georgia 30328 (404) 843-1956</p> <p><i>Counsel for Kristine Kauffmann Hope</i></p>	<p>CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS & AUGHTRY</p> <p><u>/s/ Scott Ratchick</u> (by RSC with express permission) Scott Ratchick Georgia Bar No. 595136 Scott.ratchick@chamberlainlaw.com 191 Peachtree Street, N.E. 46th Floor Atlanta, Georgia 30303 (404) 659-1410</p> <p><i>Counsel for Travis C. Kauffmann</i></p>
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LOCAL RULE 5.1 CERTIFICATE

The undersigned certifies that the foregoing document was prepared in 14-point Times New Roman font and in accordance with the margin and other requirements of Local Rule 5.1.

/s/ Robert S. Carlson

Robert S. Carlson

Georgia Bar No. 110280

CERTIFICATE OF SERVICE

This is to certify that I have this day served the opposing parties in the foregoing matter with a copy of the foregoing *Joint Motion to Amend Scheduling Order* with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record for Plaintiff:

Scott Ratchick, Esq.
Chamberlain, Hrdlicka, White,
Williams & Aughtry, P.C.
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Atlanta, Georgia, 30303
scott.ratchick@chamberlainlaw.com

This 9th day of April, 2024.

CALDWELL, CARLSON,
ELLIOTT & DELOACH, LLP

/s/ Robert S. Carlson
Robert S. Carlson
Georgia Bar No. 110280

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Exhibit “A”

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Plaintiff,)	
)	Civil Action
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KRISTINE KAUFFMANN HOPE,)	
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Defendant.)	

[PROPOSED] CONSENT AMENDED SCHEDULING ORDER

By consent of the parties as evidenced by the signatures of their counsel appearing below, and having made the showing required by LR 26.2(B), the following deadlines shall govern this case:

- a) Fact discovery shall be completed by June 25, 2024;
- b) Expert reports, if any, shall be due by July 10, 2024;
- c) Expert discovery (other than expert depositions) shall be completed by July 25, 2024;
- d) Expert depositions shall be completed by August 9, 2024;
- e) Dispositive motions shall be filed by September 20, 2024.

Exhibit "A"

SO ORDERED this _____ day of _____, _____.

The Honorable Thomas W. Thrash
United States District Court Judge

Consented to by:

<p>CALDWELL, CARLSON, ELLIOTT & DELOACH, LLP</p> <p><u>/s/ Robert S. Carlson</u> Robert S. Carlson Georgia Bar No. 110280 rcarlson@ccedlaw.com <u>Harry W. MacDougald</u> Georgia Bar No. 463076 hmacdougald@ccedlaw.com Two Ravinia Drive, Suite 1600 Atlanta, Georgia 30346 (404) 843-1956</p> <p><i>Counsel for Kristine Kauffmann Hope</i></p>	<p>CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS & AUGHTRY</p> <p><u>/s/ Scott Ratchick</u> (by RSC with express permission) Scott Ratchick Georgia Bar No. 595136 Scott.ratchick@chamberlainlaw.com 191 Peachtree Street, N.E. 46th Floor Atlanta, Georgia 30303 (404) 659-1410</p> <p><i>Counsel for Travis C. Kauffmann</i></p>
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